



LEGISLATIVE BRANCH CITY OF BINGHAMTON

Teri Rennia, City Council President
Angela Holmes, City Clerk

MINUTES
City Council Business Meeting
Council Chambers, 38 Hawley Street, Binghamton, N.Y.
Wednesday March 5, 2014

CALL TO ORDER

Called to order by Council President Rennia at 6:32pm.

PLEDGE OF ALLEGIANCE

Council President Rennia led the Pledge of Allegiance.

ROLL CALL

Present: Jerry Motsavage, Joseph Mihalko, Teri Rennia, Lea Webb, Chris Papastrat, John Matzo

Absent: Bill Berg

Also in attendance: Angela Holmes, City Clerk; Jeremy Pelletier, Deputy City Clerk; Allison Sosa, 2nd Assistant Corporation Counsel

REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

Motion to approve the minutes from the Business Meeting held on Wednesday February 19, 2014, from the Special Business Meetings held on Thursday February 20, 2014 and on Monday March 3, 2014, and from the Municipal and Public Affairs Committee meeting held on Monday March 3, 2014.

Moved by Motsavage, seconded by Webb.

Voice vote, none opposed.

Councilman Motsavage noted for the record that the Municipal and Public Affairs Committee will meet on Monday March 17, 2014 at 5:00pm to review proposed amendments to food vendor regulations. This meeting will be held immediately prior to the regularly scheduled Work Session, and will be held in the City Council Work Room, located through the City Clerk's Office on the first floor of City Hall.

Councilwoman Webb noted for the record that the Employees Committee will meet on Monday April 7, 2014 at 4:00pm to review RL 13-225, "A Resolution amending the PBA Agreement from 2012-2014 regarding the salary grid for police officers hired after January 1, 2013" and RL 14-24, "An Ordinance amending Section 124-17.B(1) of the Code of the City of Binghamton, regarding Annual Leave". This meeting will be held immediately prior to the regularly scheduled Work Session, and will be held in the City Council Work Room, located through the City Clerk's Office on the first floor of City Hall.

PUBLIC HEARINGS

Introductory Ordinance 14-11. Considered in Planning, Chair: Webb

An Ordinance amending Chapter 410, Article XI of the Code of the City of Binghamton, regarding sign regulations

Note: Notice of this public hearing was published in the Press & Sun Bulletin on Friday February 28, 2014.

1. Council President Rennia noted for the record that Broome County Department of Planning & Economic Development reviewed this proposal pursuant to § 239-l and § 239-m of the General Municipal Law, and



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provided several recommendations. According to Corporation Counsel, should City Council choose to amend the proposed legislation to incorporate these recommendations, the changes would be non-substantive, and thus the legislation would not require an additional public hearing. The recommendations are as follows:

- a. Section 410-61: Home Occupation signs and Raceways should be defined.
- b. The City should ensure that home occupation signs are adequately addressed in Section 410-66 and elsewhere in the sign ordinance and consider whether the sign ordinance should address home occupation signs requested for commercial district lofts and apartments.
- c. Section 410-62(F)(4): The City should ensure that it intends that sign illumination shall be limited to the hours of operation for the business unit with which the sign is associated.
- d. Pictorial examples of the Preferred Design Criteria (Section 410-63.B), Permanent Sign Types (Section 410-67.1) and Temporary Sign Types (Section 410-67.2) would be helpful.
- e. The City should consider whether the section pertaining to the Signs Specially Prohibited, All Districts and Signs Allowed by Right should be referenced in the Sign Matrix in Section 410-66.
- f. The City should ensure that the sign ordinance adequately addresses the square footage calculations consisting of bullet point or unframed lines of text.

2. Councilman Matzo requested permission to recuse himself from Introductory Ordinance 14-11, as he has a business interest in this matter.

Motion to allow Councilman Matzo to abstain from voting upon Introductory Ordinance 14-11.

Moved by Webb, seconded by Motsavage.

Voice vote, none opposed.

3. Council President Rennia opened the floor for speakers who wished to comment upon Introductory Ordinance 14-11.

In Favor: None

Opposed: None

APPROVAL OF MAYORAL APPOINTMENTS

Motion to approve the appointment of Sean Massey to the Binghamton Human Rights Commission for a three-year term.

Moved by Webb, seconded by Motsavage.

Voice vote, none opposed.

PUBLIC COMMENT/COMMUNICATIONS

Cory Ray, James Brosius

SECOND READING LEGISLATION

Introductory Ordinance 14-8. Considered in Municipal and Public Affairs, Chair: Motsavage

An Ordinance amending Section 400-24 of the Code of the City of Binghamton, regarding the maintenance of the Traffic Code

Note: First reading legislation occurred at the Business Meeting held on Wednesday February 19, 2014.

1. Motion to approve legislation.
Moved by Motsavage, seconded by Webb.



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2. Motion to amend Section 1 of Introductory Ordinance 14-8 to state the following: "It shall be the duty of the City Clerk to maintain the Traffic Code, and to amend any portion of the Traffic Code as may be necessary upon receipt of any order, rule or regulation adopted by the Traffic Board and reviewed by the Council of the City of Binghamton."

Moved by Motsavage, seconded by Webb.

Motion carried. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo

Nays: None

Absent: Berg

3. Motion to approve legislation, as amended.

Moved by Motsavage, seconded by Webb.

Motion carried. Legislation adopted as Permanent Ordinance 14-9. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo

Nays: None

Absent: Berg

FIRST READING LEGISLATION

Introductory Local Law 14-1. Considered in Municipal and Public Affairs, Chair: Motsavage

A Local Law establishing a Public Art Advisory Board

Note: A public hearing was held at the Business Meeting held on Wednesday February 19, 2014.

Motion to approve legislation. Moved by Motsavage, seconded by Webb.

Motion carried. Legislation adopted as Permanent Local Law 14-1. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo

Nays: None

Absent: Berg

Introductory Ordinance 14-10. Considered in Finance, Chair: Berg

An Ordinance authorizing a transfer in the Department of Public Works 2013 budget to cover the cost of salt purchased in 2013

Motion to approve legislation. Moved by Motsavage, seconded by Webb.

Motion carried. Legislation adopted as Permanent Ordinance 14-10. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo

Nays: None

Absent: Berg

Introductory Resolution 14-12, Considered in Finance, Chair: Berg

A Resolution authorizing the Mayor to renew agreements with various Broome County Departments, outside agencies and municipalities for the STOP-DWI Program for 2014

Motion to approve legislation. Moved by Motsavage, seconded by Webb.

Motion carried. Legislation adopted as Permanent Resolution 14-12. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo

Nays: None

Absent: Berg



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Introductory Resolution 14-13, Considered in Finance, Chair: Berg

A Resolution authorizing the City of Binghamton to purchase apparatus, materials, equipment and related services through contracts let by National Joint Powers Alliance

Motion to approve legislation. Moved by Motsavage, seconded by Webb.

Motion carried. Legislation adopted as Permanent Resolution 14-13. (Vote 6-0-1)

Ayes: Motsavage, Mihalko, Rennia, Webb, Papastrat, Matzo

Nays: None

Absent: Berg

COMMUNICATIONS FROM COUNCIL

Matzo, Motsavage, Mihalko, Webb, Papastrat, Rennia

ADJOURNMENT

Motion to adjourn at 7:05pm.

Moved by Webb, seconded by Papastrat.

Voice vote, none opposed.